



CITY OF MORGAN HILL

**RECREATION AND COMMUNITY SERVICES DEPARTMENT
REQUIREMENTS FOR ADDITIONAL INSURANCE COVERAGE**

Additional insurance coverage is required of all users to obtain a Use permit for the Community and Cultural Center if: **The event will occur at the Amphitheatre, Parks, Fields, Gymnasium, Outdoor Sport Center or Alcoholic Beverages will be served, or the event will have dancing or a jump house.**

The required coverage is listed below and can often be obtained simply by providing a certificate and endorsement to your existing homeowners or personal liability insurance policy or by purchasing special event coverage from your insurance carrier or the City. Please have your insurance carrier review this document carefully so that you will be properly insured. Any questions can be directed to the City Risk Manager, Jack Dilles at 779-7237.

INSURANCE REQUIREMENTS & LIQUOR LIABILITY

Commencement of Use of Facilities. TENANT shall not use CITY facilities under this Agreement until it has obtained CITY approved insurance. All insurance required by this Agreement shall be carried only by responsible insurance companies licensed to do business in California. Host liquor liability is required to be stated within the insurance policy if alcohol will be served or sold.

* **All policies shall name, either through existing policy language or by endorsement to the existing policy, as additional insured CITY, its elected officials, officers, employees, agents and representatives.**

* **All policies shall also contain language, either through existing policy language or by endorsement to the existing policy, to the effect that insurance shall be primary non-contributing.**

Insurance Amounts. TENANT shall maintain comprehensive, broad form, general public liability against claims and liabilities for personal injury, death, or property damage, providing protection of at least \$1,000,000 for bodily injury or death to any one person for any one accident or occurrence and at least \$1,000,000 for property damage.

Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Submission of Certificates of Insurance. Certificates of Insurance and Endorsements that meet CITY requirements must be submitted no later than **one month** before the scheduled event. A Use Permit requiring additional insurance WILL NOT BE ISSUED and the User WILL NOT BE GIVEN ACCESS to the Community Center without a Certificate of Insurance on file with the City.

Indemnification. TENANT agrees to protect, defend and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of the Agreement by TENANT, TENANT'S agents, officers, employees, subcontractors, or independent contractors hired by TENANT. The only exception to TENANT'S responsibility to protect, defend, and hold harmless CITY, is due to the sole negligence of CITY. This hold harmless agreement shall apply to all liability, regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by TENANT.

Applicant's Signature _____ Date: _____

I hereby represent that the information contained in this application and its attachments is true and correct and that I have the authority to make this application on behalf of myself or my group.

INSURANCE:

A minimum of One Million Dollars (\$1,000,000) in comprehensive broad form, general public liability insurance will be required to provide coverage against claims and liabilities for personal injury, death or property damage. The actual amount will be determined by the City's Risk Manager.

Insurance must be obtained only through insurers with a Bests' rating of no less than A- for quality of management and VII in regards to the policyholders' surplus held by the company.

A certificate of Liability* must accompany the certificate of insurance (NOT JUST INCLUDED ON THE INSURANCE CERTIFICATE), be completed by an authorized agent of the company (with their name, title and phone number) and contain the following endorsements:

- A. The City of Morgan Hill, its' elected officials, officers, employees, volunteers and representatives are named as additionally insured,**
- B. The coverage be primary in nature and any other insurance carried by the City shall be excess over such insurance.**

To:
Recreation & Community Services Department
City of Morgan Hill
17000 Monterey RD
Morgan Hill CA 95037
408/782-0008
408/779-5450 fax

Insurance certificates are due no later than 30 days prior to the event.